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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES S. KALFSBEEK,

Defendants.

CASE NO. 2:05-CR-0128 MCE-AC-1

STIPULATION AND ~~PROPOSED~~ ORDER
CONTINUING EVIDENTIARY HEARING

DATE: September 8, 2014
TIME: 9:00 a.m.
COURT: Hon. Allison Claire

STIPULATION

1. By previous order, this matter was set for evidentiary hearing on September 8, 2014, pursuant to a motion under 28 U.S.C. § 2255 by James Kalfsbeek.

2. The United States will not be able to assure the appearance of James Kalfsbeek at the September 8, 2014, hearing because of the length of time required by the United States Marshal's Service to transport Mr. Kalfsbeek to the federal courthouse in Sacramento, California.

3. On September 2, 2014, counsel for Mr. Kalfsbeek produced 19 pages of discovery to the United States. The United States will be producing additional discovery to the defense.

4. By this stipulation, the parties now move to continue the evidentiary hearing until December 8, 2014, at 9:00 a.m.

5. Counsel for the United States has conferred with Mr. Kalfsbeek's trial counsel, Scott Tedmon, who will be able to appear in Court as a witness on December 8, 2014.

1 IT IS SO STIPULATED.

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3 Dated: September 2, 2014

BENJAMIN B. WAGNER
United States Attorney

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5 /s/ CHRISTIAAN H.
HIGHSMITH
6 CHRISTIAAN H. HIGHSMITH
Assistant United States Attorney

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10 Dated: September 2, 2014

/s/ Christiaan H. Highsmith for
11 Timothy E. Warriner
Counsel for Defendant

[PROPOSED] FINDINGS AND ORDER

Based on the stipulation of the parties, it is hereby ORDERED that the evidentiary hearing previously scheduled for September 8, 2014, shall be continued to December 8, 2014, at 9:00 a.m.

IT IS SO FOUND AND ORDERED this 2nd day of September, 2014



THE HONORABLE ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE